



Security Council

Distr.: General
27 December 2001
English
Original: French

Letter dated 27 December 2001 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council

The Counter-Terrorism Committee has received the attached report from China, submitted pursuant to paragraph 6 of resolution 1373 (2001) (see annex).

I should be grateful if you would arrange for this letter and its annex to be circulated as a document of the Security Council.

(Signed) **Jeremy Greenstock**
Chairman
Counter-Terrorism Committee



Annex

Letter dated 22 December 2001 from the Chargé d'affaires a.i. of the Permanent Mission of the People's Republic of China to the United Nations addressed to the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism

I have the honour to transmit herewith the report of the Government of the People's Republic of China on the implementation of Security Council resolution 1373 (2001) concerning counter-terrorism.

(Signed) **Shen** Guofang
Chargé d'affaires and Ambassador
Permanent Mission of China

Enclosure**Report by China on the implementation of Security Council resolution 1373 (2001)**

[Original: Chinese]

The Government of China firmly advocates combating terrorism in all its forms, and supports the strict implementation of Security Council resolutions. Immediately following the adoption of Security Council resolution 1373 (2001), the Ministry of Foreign Affairs of China requested all Government departments, the People's Governments of provinces, municipalities and autonomous regions, and the Governments of the Hong Kong and Macao Special Administrative Regions to carry out a comprehensive, earnest and rigorous implementation of all provisions of the resolution. At present, all departments, local Governments and the Governments of the Hong Kong and Macao Special Administrative Regions have taken appropriate measures to implement this resolution. China is also willing to study and learn from the experiences and methods of other countries in order to evaluate and perfect the measures it takes in this area.

It should be noted that in accordance with the "one country, two systems" principle, the central Government of China is responsible for managing defence and foreign relations matters involving the Hong Kong and Macao Special Administrative Regions, while those regions enjoy their own administrative, legislative, independent judicial and final sentencing authority. The Governments of the Special Administrative Regions are responsible for maintaining public order in their regions, and, upon the authorization of the central Government, can also handle relevant external matters at their own discretion. For this reason, the specific measures taken by the central Government and the Governments of the Hong Kong and Macao Special Administrative Regions with regard to implementing Security Council resolution 1373 (2001) may differ. Consequently, the measures taken in this regard by the central Government and the Governments of the Hong Kong and Macao Special Administrative Regions will be treated separately in this report.

In accordance with the substantive inquiries of the Counter-Terrorism Committee, measures taken by the central Government authorities with regard to the implementation of Security Council resolution 1373 (2001) will be treated first in this report, which follows:

1. Resolution 1373 (2001) operative paragraph 1:

Subparagraph (a) — Prevent and suppress the financing of terrorist acts.

(What measures if any have been taken to prevent and suppress the financing of terrorist acts in addition to those listed in your responses to questions on 1(b) to (d)?)

- In recent years, the central Government of China has promulgated a series of laws and regulations concerning money-laundering, including measures for the regulation of bank accounts, measures for the regulation of overseas foreign-currency bank accounts, a notice concerning the regulation of large cash payments, rules concerning the registration and recording of large cash payments, and rules concerning the systematic use of genuine names in

individual savings accounts. In September 2001, the People's Bank of China set up a special anti-money-laundering task force charged with the unified leadership and deployment of anti-money-laundering operations throughout the Chinese banking system. Efforts are also being stepped up to revise regulations governing cash management and to set up a system to report suspicious cash transactions; a centre for overseeing financial transactions and payments to prevent money-laundering is under active development.

- In order more rigorously and effectively to combat criminal terrorist activities, the central Government authorities are considering revising the Criminal Law of the People's Republic of China in accordance with Security Council resolution 1373 (2001). The Standing Committee of the National People's Congress will meet from 24 to 29 December 2001 to debate drafts of the relevant revisions.
- Hong Kong is currently chairing the Financial Action Task Force on Money-Laundering. In order to implement Security Council resolution 1373, the Task Force has recently expanded the scope of its anti-money-laundering operations to include combating the financing of terrorist activities; the Hong Kong financial authorities have drafted regulations designed to stop the laundering of bribes and requested all relevant departments to undertake their strict implementation.

Subparagraph (b) — Criminalize the wilful provision or collection, by any means, directly or indirectly, of funds by their nationals or in their territories with the intention that the funds should be used, or in the knowledge that they are to be used, in order to carry out terrorist acts;

(What are the offences and penalties in your country with respect to the activities listed in this subparagraph?)

- Article 120 of the Criminal Law of the People's Republic of China clearly stipulates that whoever organizes, leads, and actively participates in a terrorist organization is to be sentenced to not less than three years but not more than 10 years of fixed-term imprisonment; other participants are to be sentenced to not more than three years of fixed-term imprisonment, criminal detention, or public surveillance. Whoever commits these offences and also commits murder, detonation of explosives, or kidnapping is to be punished according to the regulations for punishing multiple crimes. Articles 107 and 112 stipulate that financing criminal activities injurious to the security of the State is a criminal offence, and provide for appropriate penalties. All of the above regulations can be applied to the financing of terrorist activities.
- Under the laws of the Hong Kong Special Administrative Region, the financing of terrorism and related activities is indirectly classified as a criminal offence. Pending legislation will reclassify such activities as a specific category of criminal offence.
- Article 289 of the Penal Code of the Macao Special Administrative Region provides for prison terms of from ten to twenty years for those who launch, found, join or support terrorist groups or organizations. Whoever commits these offences in addition to murder, detonation of explosives, or release of toxic substances shall have the minimum or maximum penalty increased by

one third. Articles 286, 26, 27 and 22 of the Code stipulate that inciting, assisting or planning terrorist acts are punishable by law. Macao penal law thus directly and indirectly criminalizes any activity carried out in support of terrorism. The Special Administrative Region authorities are considering legislation specifically classifying financial assistance to terrorist activities a serious crime.

Subparagraph (c) — Freeze without delay funds and other financial assets or economic resources of persons who commit, or attempt to commit, terrorist acts or participate in or facilitate the commission of terrorist acts; of entities owned or controlled directly or indirectly by such persons; and of persons and entities acting on behalf of, or at the direction of such persons and entities, including funds derived or generated from property owned or controlled directly or indirectly by such persons and associated persons and entities;

(What legislation and procedures exist for freezing accounts and assets at banks and financial institutions? It would be helpful if States supplied examples of any relevant action taken.)

- Major laws concerning the control of the sources of terrorist assets currently enforced by the central Government include the Law of People's Bank of the People's Republic of China and the Law of Commercial Banks of the People's Republic of China, as well as its regulations governing foreign exchange controls, management of the renminbi, savings deposits, and its interim regulations governing cash transactions.
- In accordance with the provisions of the Security Council resolution and of the relevant laws of China, the Chinese Ministry of Foreign Affairs has circulated a list of organizations and individuals suspected of involvement in terrorist activities compiled by the relevant Security Council sanctions committee among all Government departments, provincial, municipal and autonomous-region Governments, and the Governments of the Hong Kong and Macao Special Administrative Regions. The departments concerned have ordered all banks and financial institutions as well as the Chinese branches of foreign-owned banks to investigate the property holdings and capital movements of individuals and organizations on the list, and to freeze them immediately and report to the Government if any suspicious assets are discovered. The Ministry of Foreign Affairs has not yet received any situation reports in this regard, however. Overseas branch offices of Chinese commercial banks are carrying out their own investigations at the request of local regulatory authorities and will report the results.
- In the Hong Kong Special Administrative Region, any person who knows or suspects that a given property derives from a prosecutable crime, or that its use or apparent use involves a prosecutable crime, must report all relevant information to the police and the Joint Financial Intelligence Unit. The associated criminal acts need not have been committed in Hong Kong. This obligation is also incumbent upon attorneys and accountants.

The regulations governing organized and serious crimes and the pursuit and confiscation of the proceeds of narcotics trafficking promulgated by the Hong Kong Special Administrative Region stipulate that the financial assets of any person

accused of the crimes of laundering bribes and of engaging in terrorist activities can be immediately frozen. In accordance with the Hong Kong regulations concerning reciprocal legal assistance on criminal matters, the Special Administrative Region can also enforce court orders issued by overseas jurisdictions to confiscate the relevant financial assets of persons suspected of terrorism. The Government of the Special Administrative Region, in accordance with the circular promulgated by the central Government, has also transmitted a list of relevant individuals and entities to all its departments and ordered them to check their records and report any suspicious accounts and transactions to the Joint Financial Intelligence Unit. Moreover, the Government of the Special Administrative Region has proposed legislation allowing the freezing of all terrorist assets.

- The Code of Criminal Procedure and the framework for financial-system law of the Macao Special Administrative Region both provide procedural guidelines for freezing assets. The Government may legally promulgate a judicial order freezing any assets connected with or possibly connected with a given illegal act. Presently, the Government of the Special Administrative Region is proposing legislation providing for the automatic freezing of assets without the need for a court order, if it has been determined that the assets in question belong to terrorists. In accordance with the circular promulgated by the central Government, the Government of the Special Administrative Region has also requested the Macao financial authorities to check for terrorist assets on the basis of the list provided by the Security Council; to date no terrorists have been discovered.

Subparagraph (d) — Prohibit their nationals or any persons and entities within their territory from making any funds, financial assets or economic resources or financial or other related services available, directly or indirectly, for the benefit of persons who commit or attempt to commit or facilitate or participate in the commission of terrorist acts, of entities owned or controlled, directly or indirectly, by such persons and of persons and entities acting on behalf of or at the direction of such persons;

(What measures exist to prohibit the activities listed in this subparagraph?)

- The central Government has requested the Chinese companies and enterprises concerned to implement the relevant Security Council resolutions conscientiously and to refrain from engaging in economic or trade contacts of any kind with the Taliban. China also maintains strict vigilance with regard to postal items destined for or coming from Afghanistan via non-trade channels.
- The regulations regarding United Nations sanctions on Afghanistan of the Hong Kong Special Administrative Region prohibit payments to the Taliban, Osama bin Laden and persons or organizations connected with them. The Special Administrative Region also has proposed legislation broadening the relevant prohibitive measures to include all terrorists.
- Measures taken by the Macao Special Administrative Region relevant to this subparagraph have been covered in previous material provided under operative paragraph 1 of the resolution.

2. Operative paragraph 2:

Subparagraph (a) — Refrain from providing any form of support, active or passive, to entities or persons involved in terrorist acts, including by suppressing recruitment of members of terrorist groups and eliminating the supply of weapons to terrorists;

(What legislation or other measures are in place to give effect to this subparagraph? In particular, what offences in your country prohibit (i) recruitment to terrorist groups and (ii) the supply of weapons to terrorists? What other measures help prevent such activities?)

The Criminal Law, criminal procedure law, national security law and its implementation regulations, police law, regulations governing the use of police equipment and weapons by the People's Police, Martial Law and the law on assemblies, marches and demonstrations of the People's Republic of China all directly or indirectly criminalize and set penalties for organizing, leading or participating in terrorism and recruiting members of terrorist groups. Among these, the penalty provisions of Article 249 of the Criminal Law regarding the provoking of ethnic hatred and discrimination, Article 294 regarding the crimes of organizing, leading or actively participating in a criminal underworld organization and of entering China to develop an underworld organization, and Article 300 regarding the use of superstitious sects, secret societies and evil religious organizations to sabotage the implementation of the law, can also encompass the recruitment of members of terrorist groups.

- China has always strictly and responsibly fulfilled the obligations it has undertaken in the area of preventing the spread of terrorism. Not only has it adhered to the relevant international conventions, but it has also promulgated a series of export regulations strictly to prohibit relevant technology and resources from falling into the hands of terrorists. Articles 125, 127, 128, 130 and 151 of the Criminal Law all directly or indirectly criminalize supplying weapons to terrorists. China is also strictly enforcing the provisions of the Security Council sanctions resolutions regarding Afghanistan.
- Major legislation of the Hong Kong Special Administrative Region regarding the subject of this subparagraph includes Article 22 of the law on associations, which criminalizes incitement, enticement or invitation of others to become members of illicit mass organizations or to assist in the management of such organizations. The maximum penalty for the foregoing offences is HK\$ 50,000 and a term of imprisonment of two years. This category can also be applied to the recruitment of members for terrorist organizations. The Hong Kong regulations governing the United Nations embargo on arms shipments to Afghanistan prohibit the supply of weapons to bin Laden and persons or organizations connected with him; additional legislation aimed at preventing weapons from falling into the hands of terrorists include the regulations governing imports and exports, weapons of mass destruction, firearms and explosives, hazardous items, weapons etc.
- As previously described, the Penal Code of the Macao Special Administrative Region directly or indirectly criminalizes providing any form of support to terrorist acts; this of course includes the recruitment of members for terrorist

groups, providing them with weapons, etc. Moreover, the Macao Special Administrative Region regulations governing firearms and explosives can be used to prevent weapons from falling into the hands of terrorists.

Subparagraph (b) — Take the necessary steps to prevent the commission of terrorist acts, including the provision of early warning to other States by exchange of information;

(What other steps are being taken to prevent the commission of terrorist acts, and in particular, what early warning mechanisms exist to allow exchange of information with other States?)

- The National Civil Aviation Administration has released urgent circulars regarding the strengthening of air security and effectively ensuring civil aviation security by positively preventing and resolutely dealing with violent or terrorist acts, and its notice on civil aviation security, jointly published with the Ministry of Public Security for the general public, has been publicized throughout the country by the news media. It calls for broadening the scope of security inspections, a higher rate of follow-up passenger body searches and baggage inspections for international flights, and a 100 per cent rate of baggage inspection as well as a total prohibition on knives of any kind for flights from the United States to Beijing and Shanghai and for all aircraft flying to the United States from China. It also calls for strengthening the work done to identify and detain suspects and checking the backgrounds of those detained, and timely cross-checking of detainee lists against that day's passenger manifests. It further calls for greatly increased rates of baggage inspections and manual body searching of passengers; the rate of such inspections and searches should never fall below 50 per cent, and a full check of all passengers and their baggage may be carried out when necessary on a given flight.

Following the events of 11 September 2001, in accordance with the circular released by the national Government departments concerned, the Chinese Customs authorities immediately dispatched urgent messages via facsimile transmission, calling on all port Customs agencies to improve the dynamics of spot inspections and cargo-manifest verification against container contents. In view of the occurrence of the spread of anthrax by post in some countries, the Customs authorities further requested all port Customs agencies to broaden the scope of their inspections of incoming postal and express-delivery mail and passenger baggage from overseas, especially for mail and passengers arriving from affected countries; if any suspicious items are found, the local quarantine inspection office is to be notified immediately and proper inspections carried out in close consultation with that office, with the results to be reported to the Customs authorities. Each Customs location was also requested to prepare safety equipment and protective gear for its staff, broaden the scope of its combat against terrorism and systematize and normalize its working procedures. The Chinese Customs authorities will cooperate with the World Customs Organization to broaden the scope of combat against terrorism and strengthen international customs cooperation.

- In the area of combating international terrorism, China has long maintained effective cooperation with other countries, especially within the framework of the Shanghai Cooperation Organization. Following the events of 11 September

2001, China has strengthened its relations with the countries in the Organization as well as with other affected countries.

- China has established a broad network of international judicial cooperation. To date, China has signed treaties of bilateral assistance in criminal and judicial matters with 26 countries; these treaties can be used in international cooperation in combating terrorist crimes. Moreover, in accordance with the relevant Chinese legislation and based on the principle of reciprocity, China can launch international cooperation with all countries in the areas of extradition and assistance in criminal and judicial matters.
- The Government of the Hong Kong Special Administrative Region maintains close relations with the consulates of all countries represented in Hong Kong, and exchanges information on terrorism with them. The Hong Kong police authorities have already strengthened the security provisions for a number of vulnerable locations in the Special Administrative Region that are potential targets of attack, as well as for critical infrastructure, and have formulated an effective mechanism for exchanging information on terrorists by means of the International Criminal Police Organization's Interpol Network as well as bilateral arrangements with overseas law-enforcement agencies. The Hong Kong police maintain close relations with other local and overseas law-enforcement agencies, closely following developing situations and continuously assessing threat levels. Other law-enforcement agencies in the Hong Kong Special Administrative Region also have effective intelligence-sharing arrangements with their overseas counterparts.
- The central Government maintains a semi-annual consultation mechanism with the Governments of the Hong Kong and Macao Special Administrative Regions in order to coordinate their efforts to combat crime. At the most recent meeting, the participants exchanged intelligence information, exchanged experiences and strengthened cooperation.
- Over the past several years, the Government of the Macao Special Administrative Region has strengthened the training of its counter-terrorism personnel. In September 2000, it held a joint counter-terrorism training programme with Portugal, and is currently planning cooperation with the United States in the area of counter-terrorism training. Macao is ready to work with all countries to strengthen cooperation against terrorism.

Subparagraph (c) — Deny safe haven to those who finance, plan, support, or commit terrorist acts, or provide safe havens;

(What legislation or procedures exist for denying safe haven to terrorists, such as laws for excluding or expelling the types of individuals referred to in this subparagraph? It would be helpful if States supplied examples of any relevant action taken.)

- The People's Republic of China Law on the Control of Entry and Exit of Aliens clearly stipulates that aliens deemed capable of engaging in acts of violence or terrorism are to be denied entry.
- China has already established a broad international network of cooperation in judicial matters. To date, China has signed treaties of bilateral assistance in

criminal and judicial matters with 26 countries. In accordance with the relevant Chinese legislation and based on the principle of reciprocity, China can launch international cooperation with all countries in the areas of extradition and assistance in criminal and judicial matters.

- The provisions of the Hong Kong Special Administrative Region regulations on fugitives pertaining to the extradition of terrorists, those pertaining to judicial assistance in the regulations on mutual legal assistance in criminal matters, and those pertaining to denying terrorists entry to the Special Administrative Region in the regulations regarding entry all provide a legal basis for the Special Administrative Region to deny a safe haven for terrorists.
- The laws of the Macao Special Administrative Region deny criminals entry to the Special Administrative Region. The Special Administrative Region is currently considering strengthening the relevant legislation.

Subparagraph (d) — Prevent those who finance, plan, facilitate or commit terrorist acts from using their respective territories for those purposes against other States or their citizens;

(What legislation or procedures exist to prevent terrorists acting from your territory against other States or citizens? It would be helpful if States supplied examples of any relevant action taken.)

- As previously stated, China has already established a broad international network of cooperation in judicial matters, and can launch international cooperation with all countries in the areas of extradition and assistance in criminal and judicial matters in order to prevent terrorists from using Chinese territory for committing terrorist acts against other States or their citizens.
- The People's Republic of China Law on the Control of Entry and Exit of Aliens clearly stipulates that aliens who forge, alter, fraudulently use, transfer or buy and sell visas or other credentials shall be prevented from entering or leaving China and shall be held accountable under the law. This provision can be used to prevent terrorists from leaving China to engage in terrorist activities.
- The class of offences of financing terrorism about to be expanded by Hong Kong will include providing support in Hong Kong to terrorist activities overseas. Hong Kong can provide legal assistance overseas in accordance with the regulations on mutual legal assistance in criminal matters. Criminals may be extradited under the regulations regarding fugitives. The Special Administrative Region also has effective entry laws and an entry-control list system to prevent terrorist activities in the Hong Kong Special Administrative Region. Moreover, the regulations governing weapons of mass destruction (controls on the provision of services) stipulate that the provision in Hong Kong of any service related to weapons of mass destruction constitutes a crime, thereby enabling the effective prevention of the use of the Special Administrative Region by terrorists to launch terrorist activities against other States or their citizens.
- Measures taken by the Macao Special Administrative Region with regard to the subject matter of this paragraph have been covered previously. The phrase

"threatens persons, groups of persons or the populace at large" contained in paragraph 2 of Article 289 of the Macao Penal Code regarding the definition of terrorist groups or organizations have been construed as including the people of other countries and regions. Moreover, the Penal Code also stipulates the right of extraterritoriality with regard to crimes committed overseas, and thus can also be applied to crimes committed overseas that fall under Articles 289 and 290 of the Penal Code.

Subparagraph (e) — Ensure that any person who participates in the financing, planning, preparation or perpetration of terrorist acts or in supporting terrorist acts is brought to justice and ensure that, in addition to any other measures against them, such terrorist acts are established as serious criminal offences in domestic laws and regulations and that the punishment duly reflects the seriousness of such terrorist acts;

(What steps have been taken to establish terrorist acts as serious criminal offences and to ensure that the punishment reflects the seriousness of such terrorist acts? Please supply examples of any convictions obtained and the sentence given.)

- Appropriate punishments are provided in the Criminal Law of the People's Republic of China for the crimes commonly committed by terrorists. The Chinese Government is currently considering amending the Criminal law so as to combat terrorist activities more stringently.
- In the Hong Kong Special Administrative Region, the crimes commonly committed by terrorists are generally classified as serious criminal offences and have been assigned appropriate penalties. For example, any person who violates Article 53 of the provisions on criminal offences by detonating an explosion capable of harming life or property can be imprisoned for life upon conviction under the prosecution procedures. Moreover, the Special Administrative Region plans to draw up counter-terrorism legislation in early 2002 that will outline the meaning of terrorist acts and set up new definitions of terrorist crimes, as well as determine penalties that will appropriately reflect the seriousness of such acts.
- The relevant measures taken by the Macao Special Administrative Region have already been covered in the answers to previous questions.

Subparagraph (f) — Afford one another the greatest measure of assistance in connection with criminal investigations or criminal proceedings relating to the financing or support of terrorist acts, including assistance in obtaining evidence in their possession necessary for the proceedings;

(What procedures and mechanisms are in place to assist other States? Please provide any available details of how these have been used in practice.)

- As previously stated, China can set up information exchanges with and legal assistance to other countries in accordance with its domestic legislation and with the provisions of the relevant bilateral agreements with those countries.
- Following the events of 11 September 2001, the central Government authorities strengthened internal counter-terrorism mechanisms and structures,

and the Ministries of Public Security, State Security, National Defence and Foreign Affairs have been conducting frequent coordination meetings to discuss ways to deal with relevant issues of counter-terrorism and unified deployment. Under the leadership of the Ministry of Foreign Affairs, the central Government has held discussions with the United States, Russia and India on counter-terrorism, and will also launch exchanges pertaining to counter-terrorism with members of the European Union and Arab countries.

- As previously stated, the Hong Kong Special Administrative Region can provide assistance to other jurisdictions in the areas of criminal investigations and litigation.
- The Macao Special Administrative Region is launching judicial cooperation with other jurisdictions in strict adherence to the Basic Law of the Macao Special Administrative Region and the Macao Code of Criminal Procedure.

Subparagraph (g) — Prevent the movement of terrorists or terrorist groups by effective border controls and controls on issuance of identity papers and travel documents, and through measures for preventing counterfeiting, forgery or fraudulent use of identity papers and travel documents;

(How do border controls in your country prevent the movement of terrorists? How do your procedures for issuance of identity papers and travel documents support this? What measures exist to prevent their forgery etc?)

- The People's Republic of China Law on the Control of Entry and Exit of Aliens clearly stipulates that aliens deemed capable of carrying out violent or terrorist activities on Chinese territory shall be denied entry. This law also stipulates that aliens who forge, alter, fraudulently use, transfer or buy and sell visas or other credentials shall be prevented from entering or leaving China and shall be held accountable under the law. In accordance with these provisions, China has established an improved visa control system; the visa application and issuance process is simple but strict, and a great deal of effort has been put into enhancing the anti-counterfeiting technology of visas and credential documents. Aliens entering China are required to apply for visas at representative offices of the Ministry of Foreign Affairs, or at consulates or other overseas offices recognized by the Ministry. Applicants for Chinese visas must present genuine, currently-valid passports recognized by the central Government authorities, or other valid credential in lieu of a passport, along with other relevant identification documents. In view of the fact that terrorists could fraudulently obtain Chinese visas using forged documents, the relevant departments of the Chinese Government have for some time been cooperating with numerous other countries in exchanging samples of passports and other travel documents with them for purposes of reference. At the same time, China has used numerous anti-counterfeiting measures in the visas and other credential documents it produces, and has instituted advanced methods of document verification. In recent years, Chinese embassies and consulates overseas as well as related visa-issuing organs have been using high-technology adhesive-paper visas that are more resistant to counterfeiting, and have correspondingly enhanced the efficiency of document inspections at border entry points.

Following the events of 11 September 2001, China promptly closed its border with Afghanistan and intensified controls along its borders with Pakistan and neighbouring countries in the region. Strict controls have also been instituted in eastern-region ports, with entry and exit controls stepped up in order to prevent any terrorists from entering China. If the countries concerned provide the central Government authorities with accurate, corroborated information, China will deny visas to persons suspected of involvement with terrorism, and suspicious persons and cargo entering China will be subjected to rigorous inspections.

- The Hong Kong Special Administrative Region has installed an advanced computerized system capable of supporting the entry and exit inspection procedures of all its entry checkpoints. In accordance with the regulations governing passports of the Hong Kong Special Administrative Region, passports of the Special Administrative Region are issued only to Chinese citizens, legal residents of Hong Kong, and those holding permanent-resident identification credentials for Hong Kong. Applicants must undergo a personal interview at which their identity is checked against their personal identity documents. Special Administrative Region passports are high-quality documents produced under strictly controlled conditions, and contain numerous highly advanced and complex security features. At any time of the day or night, the passport system can provide rapid responses to official enquiries regarding the authenticity of a given passport. The Special Administrative Region already has numerous laws in effect criminalizing the forgery of travel documents issued under the regulations governing entry into the Special Administrative Region; the maximum penalty for such offences is a fine of HK\$ 150,000 and a term of imprisonment of 14 years.

The process of issuing a Hong Kong identification card is also very rigorous. Applicants must produce documents proving that they meet the application criteria. If the applicant has entered the territory of the Special Administrative Region from elsewhere, his or her travel documents must show that he or she entered Hong Kong legally. The identity card displays the holder's personal data, photograph and left thumb print, and has numerous security features to make counterfeiting extremely difficult. The regulations governing personal records prohibit altering identity cards without legal authorization; violators are subject to fines of HK\$ 25,000 and prison terms of two years' duration. Identity card data is stored in the computerized system for access at any time. Personnel responsible for examining travel documents receive excellent training and are provided with advanced equipment.

- As previously stated, Macao law allows certain designated persons to be denied entry. For example, all persons whose names appear on the list of terrorists provided by the Counter-Terrorism Committee of the Security Council will be refused entry without exception. Customs and immigration officials can read all documents released by the Government in that regard. The process of issuing a Macao travel document has also been perfected; it is divided into several phases, for each of which a separate person is responsible. The document contains the holder's photograph and fingerprints. The system for issuing Macao travel documents has been certified under the ISO 9001:2000 standard. Macao also has advanced technological means at its disposal for identifying forged documents.

Operative paragraph 3

Subparagraph (a) — Find ways of intensifying and accelerating the exchange of operational information, especially regarding actions or movements of terrorist persons or networks; forged or falsified travel documents; traffic in arms, explosives or sensitive materials; use of communications technologies by terrorist groups; and the threat posed by the possession of weapons of mass destruction by terrorist groups;

(What steps have been taken to intensify and accelerate the exchange of operational information in the areas indicated in this subparagraph?)

- Following the events of 11 September 2001, China has strengthened its counter-terrorist mechanisms and structures; frequent coordination meetings are held in which representatives of the Ministries of Public Security, National Security, National Defence and Foreign Affairs.
- Under the leadership of the Ministry of Foreign Affairs, the central Government has held discussions with the United States, Russia and India on counter-terrorism, and will also launch counter-terrorist exchanges with members of the European Union and Arab countries.
- As previously stated, China can set up information exchanges with and legal assistance to other countries in accordance with its domestic legislation and with the provisions of the relevant bilateral agreements with those countries.
- Law-enforcement organs in Hong Kong, including the police, customs and the immigration affairs agency, are all closely cooperating with their overseas counterparts in order to be able to exchange operational materials and information about all criminal activity in a timely manner. The police exchange information via the Interpol Web, while the Hong Kong customs actively takes part in the information-exchange channel provided by the Asia-Pacific Regional Intelligence Liaison Office (RILO) of the World Customs Organization.
- The Macao Special Administrative Region frequently sends delegations to participate in international conferences on the issuance of travel documents, entry control, combating money-laundering, bank supervision and law enforcement, in order to facilitate the exchange of information and expertise with the outside world. The Special Administrative Region maintains unofficial relations with the United States and the European Union, exchanging information on counter-terrorist policies and judicial matters. Moreover, in order to exercise improved controls over some dual-use items associated with weapons capable of inflicting large-scale casualties, the Special Administrative Region has set up a working group with the central Government. Other related measures have been treated in the answer to previous questions.

Subparagraph (b) — Exchange information in accordance with international and domestic law and cooperate on administrative and judicial matters to prevent the commission of terrorist acts;

(What steps have been taken to exchange information and cooperate in the areas indicated in this subparagraph?)

- As previously stated, the central Government authorities have already established information-exchange and judicial-assistance arrangements with other countries.

Subparagraph (c) — Cooperate, particularly through bilateral and multilateral arrangements and agreements, to prevent and suppress terrorist attacks and take action against perpetrators of such acts;

(What steps have been taken to cooperate in the areas indicated in this subparagraph?)

- Detailed descriptions have already been given above.

Subparagraph (d) — Become parties as soon as possible to the relevant international conventions and protocols relating to terrorism, including the International Convention for the Suppression of the Financing of Terrorism of 9 December 1999;

(What are your Government's intentions regarding signing and/or ratifying the conventions and protocols referred to in this subparagraph?)

- China has recently submitted to the United Nations the instrument of accession to the International Convention for the Suppression of Terrorist Bombings of 15 December 1997, and has also signed the International Convention for the Suppression of the Financing of Terrorism of 9 December 1999. China has acceded to 10 of 12 international anti-terrorist conventions and is signatory to one; it will consider becoming a signatory to all anti-terrorism conventions as rapidly as possible. Moreover, China actively supported and participated in the work of the Ad Hoc Committee established by General Assembly resolution 51/210 of 17 December 1996 on drafting a convention on the suppression of acts of nuclear terrorism and a comprehensive convention on international terrorism.

Subparagraph (e) — Increase cooperation and fully implement the relevant international conventions and protocols relating to terrorism and Security Council resolutions 1269 (1999) and 1368 (2001);

(Provide any relevant information on the implementation of the conventions, protocols and resolutions referred to in this subparagraph.)

- The current status of China's implementation of international conventions relating to terrorism has been described above. The anti-terrorist measures that it has currently put into effect and relevant actions that it will be taking conform with Security Council resolutions 1269 (1999) and 1368 (2001).

Subparagraph (f) — Take appropriate measures in conformity with the relevant provisions of national and international law, including international standards of human rights, before granting refugee status, for the purpose of ensuring that the asylum-seeker has not planned, facilitated or participated in the commission of terrorist acts;

(What legislation, procedures and mechanisms are in place for ensuring asylum seekers have not been involved in terrorist activity before granting refugee status. Please supply examples of any relevant cases.)

Subparagraph (g) — Ensure, in conformity with international law, that refugee status is not abused by the perpetrators, organizers or facilitators of terrorist acts, and that claims of political motivation are not recognized as grounds for refusing requests for the extradition of alleged terrorists;

(What procedures are in place to prevent the abuse of refugee status by terrorists? Please provide details of legislation and/or administrative procedures which prevent claims of political motivation being recognized as grounds for refusing requests for the extradition of alleged terrorists. Please supply examples of any relevant cases.)

- With regard to the question of granting refugee status raised in subparagraphs (f) and (g), China consistently and strictly implements the provisions of the Convention Relating to the Status of Refugees of 28 July 1951, and of its Protocol of 4 October 1967.